

REMARKS/ARGUMENTS

Claims **11 - 20** are pending in the present application. Claims **11, 12** and **19** have been amended; claims **1 - 10** have been canceled without waiver or prejudice; and no claims have been added. Reconsideration of the claims is respectfully requested.

I. Election

The Examiner has issued a restriction requirement regarding claims **1 - 20**. According to the Office Action, the Examiner restricts the claims into either of Group I (claims **11 - 20**), an invention drawn to a transistor; and Group II (claims **1 - 10**), drawn to making a transistor.

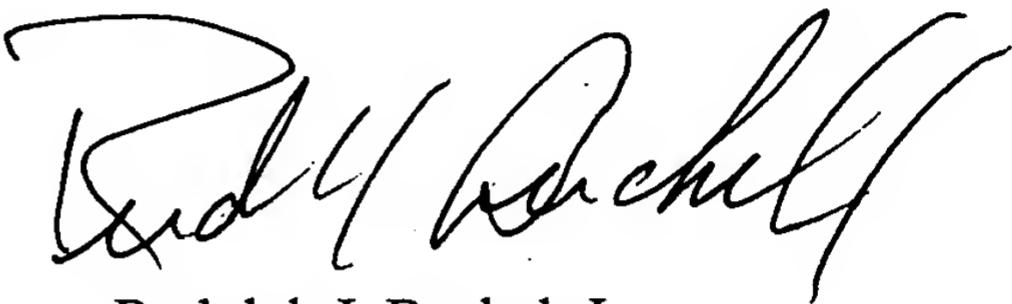
Initially Applicants assert that the scope of the claims is determined by the claims language. Characterizations of the claimed subject matter are merely characterizations and do not restrict the scope of the claims or property right associated with any subsequently issued patent grant.

As to the election, Applicants elect to prosecute the invention of Group II (claims **11 - 20**), which is drawn to a semiconducting structure, without traverse.

II. Conclusion

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,



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